

REMARKS

Claims 1-12, 14-44, 63-80 and 82-84 are pending.

Claims 80-84 are rejected under 35 U.S.C. 102(e) as being anticipated by Okazaki et al., U.S. Patent 6,495,862 (hereinafter "Okazaki"). Applicants respectfully traverse the rejection.

Claims 80 and 82 recite an optical element comprising one of sapphire and SiC. Applicants have found no such teaching in Okazaki. Light lead-out layer 22 of Fig. 10, which the Examiner cites as the optical element of claims 80 and 82, is formed from "semiconductor such as GaN, organic materials such as resin, and inorganic materials." See, for example, column 11, lines 36-40. Materials suitable for light lead-out layer 20 of Fig. 9 are listed beginning at column 10, line 48. Applicants have found no teaching in Okazaki that a light lead-out layer may be formed from sapphire or SiC as recited in claims 80 and 82. These claims are thus allowable over Okazaki.

Claims 83 and 84 depend from claim 82 and are therefore allowable for at least the same reason.

Applicants thank the Examiner for allowing claims 1-12, 14-44 and 63-79.

In view of the above arguments, Applicants respectfully request allowance of all claims. Should the Examiner have any questions, the Examiner is invited to call the undersigned at (408) 382-0480.

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